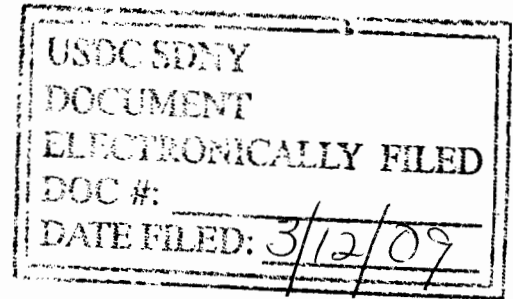


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



-----X  
**TRANSFIELD SHIPPING INC.,**

**Plaintiff,**

**- against -**

**SHREE RENUKA SUGARS LTD.,**

**Defendant.**  
-----X

**ORDER**

**09 Civ. 2226**

**SHIRA A. SCHEINDLIN, U.S.D.J.:**

On March 11, 2009, plaintiff requested that this Court issue process of maritime attachment and garnishment pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure. Plaintiff's request is hereby denied. Plaintiff has failed to establish the existence of "a valid prima facie admiralty claim against the defendant," a prerequisite to a maritime attachment. *Aqua Stoli Shipping Ltd. v. Gardner Smith Pty Ltd.*, 460 F.3d 434, 445 (2d Cir. 2006). Specifically, plaintiff has not established the existence of a valid contract between the parties. The above captioned action is discontinued without prejudice and without costs; provided, however, that within 30 days of the date of this Order, counsel for plaintiff may restore this action by submitting an amended complaint. If plaintiff commences a subsequent action based on the same set of facts alleged in the complaint in this case, that action *must* be filed as a related case.

SO ORDERED:

Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
March 12, 2009

**- Appearance -**

**For Plaintiff:**

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